



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
---------------	-------------	-----------------------	---------------------

08/165,737 12/10/93 KRUG

K 03375003002

EXAMINER
HUNTLEY, D

24M1/0915

JOHN N. WILLIAMS
FISH & RICHARDSON
225 FRANKLIN ST.
BOSTON, MA 02110-2804

ART UNIT PAPER NUMBER

2411

DATE MAILED: 09/15/95

NOTICE OF ALLOWABILITY

PART I.

1. ☒ This communication is responsive to amendment received 9/8/95
2. ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 82-154
4. ☐ The drawings filed on _____ are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [] been received. [] not been received. [] been filed in parent application Serial No. _____, filed on _____.
6. ☒ Note the attached Examiner's Amendment.
7. ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☒ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☒ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - a. ☒ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948 attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - b. ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - d. ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☒ Examiner's Amendment
- ☒ Examiner Interview Summary Record, PTOL-413
- ☒ Reasons for Allowance
- ☐ Notice of References Cited, PTO-892
- ☒ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☒ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

David M. Huntley
DAVID M. HUNTLEY
PRIMARY EXAMINER
GROUP 2400

1. The following is an attachment to the Notice of Allowability.

2. *INTERVIEW SUMMARIES*

Applicant submitted two faxes including proposed claim amendments for discussion (faxes received 8/23/95 and 8/25/95). Upon receiving the faxes, examiner called Mr. Williams on 9/7/95 and indicated that he was maintaining the grounds of rejection given in the final rejection. However, in the course of the discussion, agreement was reached on limitations which would put the case in condition for allowance. Mr Williams agreed to implement the necessary amendments in an after-final amendment. This amendment was faxed to the Office and received on 9/8/95.

Mr. Williams made a follow-up call to the examiner on 9/11/95 and indicated that the instructions to cancel claim 87 was mistaken. Examiner stated that he would make record of the clarification here in the interview summary record.

3. *REASONS FOR ALLOWANCE*

The following is an Examiner's Statement of Reasons for Allowance:

The prior art fails to teach or fairly suggest a computation which determines a characteristic of a target (e.g. a bomb), which effectively removes the effects of overlying or underlying material (e.g. as is accomplished by equation 3 on page 2). The prior art further fails to teach means for removing said overlying or underlying material by choosing a target region, and

then iteratively examining potential background material in the neighborhood of the target region (as claimed in claim 82, and described on page 13, lines 24-32; and pages 40-43). The prior art further fails to teach means for removing said overlying or underlying material by first finding an edge portion, and then examining background values in the vicinity of the edge region (as is claimed in claims 115 and 152, and on page 12, lines 1-10; page 21, lines 4-12). The closest prior art Doenges (4,987,584) or Macovski (3,848,130) do not attempt to remove obscuring overlying or underlying material by performing image analysis, and does not provide analysis focused on examining the boundary region where purely background region meets an image region comprised of background superimposed on explosives. For these reasons, a showing of obviousness is lacking.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. *EXAMINER'S AMENDMENT*

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Serial Number: 08/165,737
Art Unit: 2411


-4-

a) On page 1 of the specification, in the first paragraph, after "filed August 10, 1990", the following has been inserted -- , now Pat. No. 5,319,547 --.

b) On page 18 of the specification, line 3: "Fig. 8 is" has been changed to -- Figs. 8 and 8a show --.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Huntley whose telephone number is (703) 305-9775.

dh/9-13-95


DAVID M. HUNTLEY
PRIMARY EXAMINER
GROUP 2400



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: Box ISSUE FEE
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

24M1/0915

JOHN N. WILLIAMS
FISH & RICHARDSON
225 FRANKLIN ST.
BOSTON, MA 02110-2904

**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

☐ Note attached communication from the Examiner

☐ This notice is issued in view of applicant's communication filed _____

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/165,707	12/10/93	073	HUNTLEY, D. 2411	09/15/95
First Named Applicant	KRUG, KRISTOPH D.			

TITLE OF INVENTION: DEVICE AND METHOD FOR INSPECTION OF BAGGAGE AND OTHER OBJECTS

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
2 03375003002	382-100.000	P23	UTILITY	YES	\$605.00	12/15/95

THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
- B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.